

Memorandum

To : Santa Fe County Board of County Commissioners

From : Steve Shepherd
SF County Health & Human Services Division

Date : November 16, 2011

Subject : Resignation of Sarah Noss as a Member of the Santa Fe City and County
Advisory Council on Food Policy

Issue:

Established in early 2009, the City Council and the Board of County Commissioners approved a joint resolution to establish the Santa Fe City County Advisory Council on Food Policy (SFFPC). Two employees each from city and county government were appointed, as well as nine people from the private sector to carry out the duties and responsibilities of the SFFPC.

Ms. Sarah Noss, a county appointee has resigned. The BCC needs to formally accept the resignation, so that new candidates can be considered to fill this position at a future BCC meeting.

Background:

Health & Human Services staff was notified on November 9, 2011 by Ms. Sarah Noss she was resigning from the Santa Fe City and County Advisory Council on Food Policy position due to the demands of her job with the Santa Fe Farmer's Market Institute. Ms. Noss was an original member of the SFFPC, and we thank her for her years of service.

Ms. Noss' appointment was due to expire on December 31, 2011, so when staff brings forward a recommendation in January 2012, the person replacing Ms. Noss will serve a term running from January 1, 2012 to December 31, 2014.

Staff Recommendation:

Staff recommends that the BCC formally accept the resignation Ms. Sarah Noss and thanks her for her service to Santa Fe County.

Steve Shepherd

From: Sarah Noss <sarah@farmersmarketinstitute.org>
Sent: Wednesday, November 09, 2011 5:52 PM
To: MORTIMER, KATHERINE E.
Cc: WHEELER, REGINA A.; Bianca Sopoci-Belknap; Duncan Sill; Lynn Walters; Maria Bustamante-Bernal; Mark Winne; MARTINEZ, VIVIAN J.; Pam Roy; PERRY, SUSAN J.; Rubina Cohen; Sherry Hooper; Steve Shepherd; Steve Warshawer; Tony McCarty
Subject: Re: SFFPC Committee Reports for 11/17/11 Meeting
Attachments: image001.gif

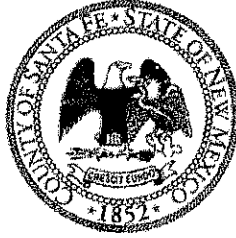
Dear Food Policy Council Members,

I am writing with regret to resign from the Food Policy Council. This year has been very busy for us at the Institute, and, as you have noticed, I have not been able to attend meetings or participate in the way you deserve. My term is expiring in January, and even though I would like to be able to continue, it appears that my schedule is not going to ease up much in the future. I apologize that my participation has been so curtailed this year. I think highly of all of you and believe in the work and potential of the Food Policy Council. But it has become clear that I just don't have the time to commit to this very important work, and I think it would be best to have someone on the council who can give it the time and effort it deserves.

It has been a real pleasure to be a part of the council, and I have really enjoyed getting to know all of you better. I hope to contribute to your work in a more limited fashion as a community member in the future.

Best regards,
Sarah Noss
Santa Fe Farmers' Market Institute

Mark K. Caldwell
Associate Director



David Trujillo
Warden

Annabelle Romero
Director

Santa Fe County Corrections Department

Memorandum

To: Board of County Commissioners

From: Dominic Aguino, Accountant, ADF Corrections

Thru: Annabelle Romero, Corrections Director

Date: November 28, 2011

Subject: Request Budget Resolution Approval for the Corrections Department

BACKGROUND:

Justice Benefits, an independent contractor, assists in obtaining federal funds for the housing of illegal immigrant inmates at the Santa Fe County Adult Corrections Facility.

ISSUE:

The Santa Fe County Corrections Department recently received \$72,938.00 from the State Criminal Alien Assistance program (SCAAP) with the help of Justice Benefits which is to be used per grant guidelines solely for expenditures of jail operations. \$57,680 has already been placed in our budget through a revenue form submitted previously for FY12 budget requests. The remaining \$15,258 is being requested since the grant was awarded.

REQUESTED ACTION:

Santa Fe County Corrections Department requests the approval of the Board of County Commissioners to increase the operating budget by \$15,258, for awarded funds received from the SCAAP Grant. These funds will be used to support specialized training and medical services at the Adult Detention Facility.

Thank you.

SANTA FE COUNTY

RESOLUTION 2011 - _____

Page _____ of _____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on December 13, 2011, did request the following budget adjustment:

Department / Division: Corrections/ADF/Medical Fund Name: Corrections Operations Fund

Budget Adjustment Type: Increase Fiscal Year: 2012 (July 1, 2011 - June 30, 2012)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
247	1860	381	0300	Subsidies-Department of Justice	\$15,258	
TOTAL (if SUBTOTAL, check here)					\$15,258	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY/ LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
247	1860	426	7033	Seminars and Workshops	\$5,000	
247	1863	426	7040	Medical Services	\$10,258	
TOTAL (if SUBTOTAL, check here)					\$15,258	

Requesting Department Approval: _____ Title: Director Date: 11/28/11

Finance Department Approval: [Signature] Date: 12/1/11

County Manager Approval: [Signature] Date: 12-5-11

Entered by: _____

Updated by: _____

Date: _____

Date: _____

Date: _____

SANTA FE COUNTY

RESOLUTION 2011 - _____

Page _____ of _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Dominic Aguino Dept/Div: Corrections/ADF Phone No.: 428-3893

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.---Awarded funds from the State Criminal Alien Assistance Program. Funds to be used for training and medical services.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclasse, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount

- 2) Is the budget action for RECURRING expense _____ or for NON-RECURRING (one-time only) expense XXX

SANTA FE COUNTY

RESOLUTION 2011 - _____

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ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: DOMINIC AGUINO Dept/Div: CORRECTIONS/ADF Phone No.: 428-3893

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES XXX NO
If YES, cite statute and attach a copy.
 - b) Does this include state or federal funds? YES XXX NO
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.
 - c) Is this request is a result of Commission action? YES NO
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
 - d) Please identify other funding sources used to match this request.

SANTA FE COUNTY

RESOLUTION 2011 - _____

Page _____ of _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

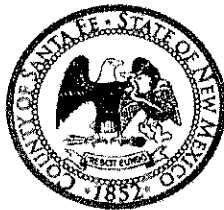
Approved, Adopted, and Passed This 13th Day of December, 2011.

Santa Fe Board of County Commissioners

Virginia Vigil, Chairperson

ATTEST:

Valerie Espinoza, County Clerk



Memorandum

To: Santa Fe Board of County Commissioners

From: Teresa Martinez, Finance Director

Thru: Katherine Miller, County Manager *KEM*

Date: December 13, 2011

Re: *Requesting a budget increase to the DWI Program Budget (\$35,341)*

ISSUE:

The Health and Human Services Division is requesting approval of an increase to the DWI Program Fund (241) to budget for professional services from local DWI Law Enforcement Agencies to fund DWI checkpoints and saturation patrols that are arranged throughout the fiscal year. These funds will also be used to purchase DWI related small equipment and field supplies as necessary for these DWI Law Enforcement Agencies.

BACKGROUND:

This request is a result of Community DWI Program funding, awarded through the NM Department of Transportation Traffic Safety Bureau (TSB), being greater than originally budgeted. This was due in part to the fact that TSB agreed to increase our award by the amount reverted in FY-2011 which was not known at the time of the FY-2012 budget preparation. This was a result of Traffic Safety Bureau's not completing paperwork in a timely manner.

RECOMMENDATION:

Please approve the attached budget resolution resulting in an increase in the amount of \$35,341 to the DWI Fund (241) for FY-2012.

SANTA FE COUNTY

Page 1 of 4

RESOLUTION 2011 - _____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on Dec. 13, 2011, did request the following budget adjustment:

Department / Division: Community Services/Health and Human Services Fund Name: DWI Program/Community DWI

Budget Adjustment Type: Budget Increase Fiscal Year: 2012 (July 1, 2011 - June 30, 2012)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
241	0405	371	0400	Community DWI Program	35,341	
TOTAL (if SUBTOTAL, check here)					35,341	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
241	0405	464	5003	Contractual – Professional Services	5,001	
241	0405	464	8099	Capital Purchases – Inventory Exempt	30,340	
TOTAL (if SUBTOTAL, check here)					35,341	

Requesting Department Approval: _____ Title: Division Director Date: 11/15/11

Finance Department Approval: _____ Date: 12/2/11 Entered by: _____ Date: _____

County Manager Approval: _____ Date: 12-5-11 Updated by: _____ Date: _____

SANTA FE COUNTY

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RESOLUTION 2011 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Joyce Varela Dept/Div: Community Services/Health and Human Services /DWI Program Phone No.: 992-9843

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.
This request is to increase the DWI Program budget to include the additional grant funds that were awarded through the Traffic Safety Bureau to be utilized for alcohol related programs.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
5003	Funds from the Traffic Safety Bureau will be used to contract with local enforcement agencies to complete DWI check points and saturation patrols through-out the fiscal year.	5,001
8099	These funds are to be utilized for buying field supplies and small equipment such as cones, safety vests, alcohol sensors, batteries, generator, lights, cameras etc... for the surrounding DWI Law Enforcement agencies as needed.	30,340

- 2) Is the budget action for RECURRING expense or for NON-RECURRING (one-time only) expense X

SANTA FE COUNTY

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RESOLUTION 2011 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Joyce Varela Dept/Div: Community Services/Health and Human Services/DWI Program Phone No.: 992-9843

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES NO X
If YES, cite statute and attach a copy.
 - b) Does this include state or federal funds? YES X NO X
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.

Name: Community DWI Funds Amount: \$75,340.00
Grant No. 12-CD-05-091 Start Date: July 1, 2011
 - c) Is this request a result of Commission action? YES NO X
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
 - d) Please identify other funding sources used to match this request.

SANTA FE COUNTY

Page 4 of 4

RESOLUTION 2011 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 13th Day of December, 2011.

Santa Fe Board of County Commissioners

Virginia Vigil, Chairperson

ATTEST:

Valerie Espinoza, County Clerk

Robert A. Garcia
Sheriff
986-2455
ragarcia@santafecounty.org



Ron E. Madrid
Undersheriff
986-2455
rmadrid@santafecounty.org

35 Camino Justicia – Santa Fe, New Mexico 87508

MEMORANDUM

Date: November 14, 2011

To: Board of County Commissioners

From: Evelyn Vigil / Accounting *Evelyn C. Vigil*
Robert Garcia / Sheriff *[Signature]*

Subject: Alcohol Compliance Operations – PA# 12-AL-64-P05/SEDWI

Dear County Commissioners,

It is requested that approval be granted to budget federal funds awarded to the Sheriff's Office by the NMDOT/Programs Division-Traffic Safety Division for overtime in the amount of \$26,500.00. The purpose of this Agreement is to conduct warrant round-ups for DWI offenders who have a pending arrest warrant for DWI or who are in violation of their court order in Santa Fe County and surrounding areas. Also, in an effort to reduce underage drinking, quarterly Minor Compliance Checks will be conducted to insure that community alcohol retailers are in compliance with the New Mexico state statute.

Currently, there are approximately 1000 outstanding DWI warrants from Municipal, Magistrate and District Courts. To address this issue the Santa Fe community, in collaboration with Santa Fe Law Enforcement and the Santa Fe New Mexican has developed a DWI enforcement program, which consists of 2 parts. They are as follows; the Santa Fe New Mexican will publish names and pictures of outstanding DWI warrants on a quarterly basis, then warrant roundups teams, consisting of the Santa Fe Police Department and the Santa Fe county Sheriff's will conduct monthly warrant round-ups and quarterly Minor Compliance checks.

Your consideration on this matter is greatly appreciated. Thank you.

SANTA FE COUNTY

Page 1 of 4

RESOLUTION 2011 -

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on Dec. 13, 2011, did request the following budget adjustment:

Department / Division: Public Safety/Sheriff's Office

Fund Name: Law Enforcement Operating Fund (LEOF)

Budget Adjustment Type: Budget Increase

Fiscal Year: 2012 (July 1, 2011 - June 30, 2012)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1222	372	09.04	Other/NM Dept of Transportation - Federal 12-AL-64-P05-SF50 / WARRANT ROUNDUP ACTIVITIES	26,500.00	
TOTAL (if SUBTOTAL, check here)					26,500.00	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1222	424	10.25	Salary & Wages / Overtime	26,121.24	
246	1222	424	20.02	Employee Benefits / FICA - Medicare	378.76	
TOTAL (if SUBTOTAL, check here)					26500.00	

Requesting Department Approval: [Signature] Title: Sheriff Date: 11-29-11

Finance Department Approval: [Signature] Date: 12/3/11 Entered by: [Signature] Date: [Signature]

County Manager Approval: [Signature] Date: 12-5-11 Updated by: [Signature] Date: [Signature]

SANTA FE COUNTY

Page 2 of 4

RESOLUTION 2011 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Robert Garcia/Sheriff Dept/Div: Sheriff's Office Phone No.: (505) 986-2455

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.
Request for budget increase is to budget federal funds awarded by NMDOT/Programs Division-Traffic Safety Division for overtime to conduct warrant round-ups for DWI offenders who have a pending arrest warrant for DWI or who are in violation of their court order in Santa Fe County and surrounding areas.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title
10.25	Salary & Wages - Overtime	Permanent/Full-time	Deputy

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount

- 2) Is the budget action for RECURRING expense or for NON-RECURRING (one-time only) expense X

SANTA FE COUNTY

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RESOLUTION 2011 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Robert Garcia/Sheriff Dept/Div: Sheriff's Office Phone No.: (505) 986-2455

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES NO X
If YES, cite statute and attach a copy.

- b) Does this include state or federal funds? YES X NO
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.

TITLE: ALCOHOL COMPLIANCE OPERATIONS
PROJECT NO.: 12-AL-64-P05
AWARD PERIOD: OCT 1, 2011 TO SEPT 30, 2012
AWARD AMOUNT: \$26,500.00

- c) Is this request is a result of Commission action? YES NO X
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
- d) Please identify other funding sources used to match this request.
N/A

SANTA FE COUNTY

Page 4 of 4

RESOLUTION 2011 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 13th Day of December, 2011.

Santa Fe Board of County Commissioners

Virginia Vigil, Chairperson

ATTEST:

Valerie Espinoza, County Clerk

Danny Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

CASE NO. V 11-5210

VARIANCE

EDWIN AND FRANCESCA LEMUS, APPLICANT

ORDER

THIS MATTER came before the Board of County Commissioners (hereinafter referred to as “the BCC”) for hearing on October 11, 2011, on the Application of Edwin and Francesca Lemus, Santa Fe County Open Space and Trails, Colleen Baker (hereinafter referred to as “the Applicant”) for a variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District), Section 10.6 to allow a land division of 1.534 acres into two lots: one lot consisting of 1.050 acres with an existing dwelling unit and one unimproved lot consisting of 0.483 acres. The BCC, having reviewed the Application and supplemental materials, staff reports and having conducted a public hearing on the request, finds that the Application is well-taken and should be granted, and makes the following findings of fact and conclusions of law:

1. The Applicant requests approval of a variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District), Section 10.6 to allow a land division of 1.534 acres into two lots: one lot consisting of 1.050 acres with an existing dwelling unit and one unimproved lot consisting of 0.483 acres located off Agua Fria Street, at 1994 Vereda San Antonio, within Section 32, Township 17 North, Range 9 East (“Property”).
2. The Applicant would retain 1.050 acres (Tract A-1) with all existing structures and the Santa Fe County Open Space and Trails Program would purchase the remaining 0.483 acres (Tract A-2) within the Santa Fe River floodplain.

3. The Applicant states that the proposed land division is solely for the purpose of creating public open space along the Santa Fe River. The land division will not be recorded until and unless the purchase of Tract A-2 is completed by the County. The proposed Tract A-2 will be used exclusively for open space, river restoration, habitat enhancements, public trails and related amenities such as benches and drinking fountains.
4. The Applicant also states that the Open Space and Trails Program is working to implement a long range plan to acquire land along the Santa Fe River in order to create a greenway of public open space and trails from downtown Santa Fe to the Waste Water Treatment Plant. The proposed land division is necessary for the County's open space and trails.
5. Ordinance No. 2007-2 states the density in this area (AFTCZD) is 0.75 acres per dwelling unit.
6. The proposed land division would preserve distinctive natural features such as the Santa Fe River and primary open space corridors. Ordinance No. 2007-2 Section 10.7A and 10.7B encourages the clustering of structures to preserve natural open space areas and developments must preserve distinctive natural features such as the Santa Fe River, and primary open space corridors.
7. Tract A-1 with the dwelling unit complies with the relevant density provision however Tract A-2 to be acquired by Santa Fe County Open Space and Trails falls below the density for a tract with a dwelling unit.
8. Staff recommends the following conditions of approval:

- A. A Plat of Survey meeting all Santa Fe County Land Development Code requirements shall be submitted to the Building and Development Services Department for review and approval.
 - B. Water use shall be restricted to 0.25 acre feet per year for Tract A-1. A water meter shall be installed on the existing home; this shall be noted on the Plat. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office.
 - C. No further division of Tract A-2 shall be permitted. This shall be noted on the Plat.
 - D. Tract A-2 shall be designated as open space, development other than open space amenities on this lot shall be prohibited, and this shall be noted on the Plat.
 - E. The land division will only be recorded if Santa Fe County Open Space and Trails acquires Tract A-2.
9. In support of the Application, the Applicant states that he agrees with staff's conditions.
10. A public hearing was conducted and no members of the public spoke in favor or in opposition to the Application.

The Board of County Commissioners hereby approves a variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District), Section 10.6 to allow a land division of 1.534 acres into two lots: one lot consisting of 1.050 acres with an existing dwelling unit and one unimproved lot consisting of 0.483 acres on Property located at 1994 Vereda San Antonio based upon the Applicant complying with the conditions as stated above.

IT IS SO ORDERED

This Order was approved by the Board of County Commissioners of Santa Fe County on
this ____ day of December, 2011.

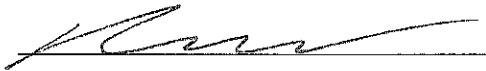
By: _____

Virginia Vigil, Chair

Attest: _____

Valerie Espinoza, County Clerk

Approved as to form:

A handwritten signature in black ink, appearing to read "Stephen C. Ross", is written over a horizontal line.

Stephen C. Ross, County Attorney

XIII. A. 5. CDRC CASE # V 11-5210 Edwin & Francesca Lemus Variance.
Edwin & Francesca Lemus, Applicant's, Santa Fe County Open Space and Trails, (Colleen Baker), Agent, Request a Variance of Ordinance # 2007-2, (Village of Agua Fria Zoning District), Section 10.6 to Allow a Land Division of 1.534 Acres Into Two Lots; One Lot Consisting of 1.050 Acres and One Lot Consisting of 0.483 Acres. The Property is Located Off Agua Fria Street, at 1994 Vereda San Antonio, within Section 32, Township 17 North, Range 9 East (Commission District 2) Wayne Dalton, Case Manager

WAYNE DALTON (Building & Development Supervisor): On August 18, 2011 the CDRD met and acted on this case. The decision of the CDRC was to recommend approval of the applicant's request for a variance by a unanimous 4-0 vote. There is currently a residence, and a shell of an old, detached single car garage, and a conventional septic system on the property. The property is served by an onsite well which serves the existing dwelling unit. The property is located within the Village of Agua Fria community zoning district.

Ordinance No. 2007-2 states the minimum lot size in this area is .75 acres per dwelling unit. Lot size can be reduced to .33 acres with both community water and sewer. The proposed land division would divide the current 1.354-acre parcel. The applicant would retain 1.05 acres, which is Tract A-1, with all existing structures, and the Santa Fe County Open Space and Trails program would purchase the remaining 0.483 acres, which would be Tract A-2, encompassing the Santa Fe River floodplain.

The applicant states the proposed land division is solely for the purpose of creating public open space along the Santa Fe River. The land division would not be recorded until and unless the purchase of Tract A-2 is completed by the County. The proposed Tract A-2 will be used exclusively for open space, river restoration, habitat enhancements, public trails and related amenities such as benches and drinking fountains. The applicant also states that the Open Space and Trails program is working to implement a long-range plan to acquire land along the Santa Fe River in order to create a greenway of public open space and trails from downtown Santa Fe to the wastewater treatment plant. The proposed land division is necessary for the County to purchase this portion of the river.

Recommendation: Staff has reviewed this application and has found the following facts to support this submittal: Ordinance No. 2007-2 states the density in this area is 0.75 acres per dwelling unit. The portion of the property being divided below the minimum lot size, Tract A-2, will be used exclusively for open space amenities and cannot be developed. The land division would preserve distinctive natural features such as the Santa Fe River and primary open space corridors, and clustering of structures is encouraged to preserve natural open space areas as stipulated within Ordinance 2007-2. Therefore staff recommends approval of the applicant's request subject to the following conditions: Madam Chair, may I enter those into the record?

[The conditions are as follows:]

1. A Plat of Survey meeting all County Code requirements shall be submitted to the Building and Development Services Department for review and approval.
2. Water use shall be restricted to 0.25 acre-feet per year for Tract A-1. A water meter shall be

installed on the existing home; this shall be noted on the Plat. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office.

3. No further division of Tract A-2 shall be permitted. This shall be noted on the plat.
4. Tract A-2 shall be designated as open space, development other than open space amenities on this lot is prohibited; this shall be noted on the plat.

CHAIR VIGIL: Are there any questions?

COMMISSIONER ANAYA: Madam Chair, I have 35 questions.

CHAIR VIGIL: Please proceed. We have all night.

COMMISSIONER ANAYA: I don't have any questions, Madam Chair.

CHAIR VIGIL: Okay. I have a question. And I'm not sure you can answer it. Maybe Paul, you could. The map that was in the packet where it identifies the plat, it's a long strip, and it goes – part of it is the north of the river and part of it is to the south of the river. And which part? Is it going to be the part to the north or the south? Do you know?

MR. DALTON: Madam Chair, it would be the portion to the north, which includes the floodplain.

CHAIR VIGIL: So we don't need any open space on the south side of the river or is that going to be private property?

MR. DALTON: That would be the remainder of the property owned by the applicant, which would be the 1.050 acres.

CHAIR VIGIL: Okay. And with this purchase, will it have parks? Will it just be an easement purchased for the River Trail itself?

PAUL OLAFSON (Community Projects): Madam Chair, that's correct. This is primarily being acquired for the river restoration project.

CHAIR VIGIL: But if we're going to do the river restoration, aren't we doing it both on the north and the south?

MR. OLAFSON: Madam Chair, we are looking at both. This property I believe runs to approximately the middle of the river. If you look at the colored picture, the next one over, you'll see it doesn't quite reach across the entire river. So we're taking as much of the river area as possible with this.

CHAIR VIGIL: So the property owners on the north side are separate?

MR. OLAFSON: That's correct.

CHAIR VIGIL: Okay. Have we purchased the easement for that side? For that north side?

MR. OLAFSON: Madam Chair, no. We are still pursuing that.

CHAIR VIGIL: Okay. I have no further questions. What's the pleasure of the Commission? This is a public hearing, and seeing no public I forget to ask that. Is there anyone who would like to address the Commission?

COMMISSIONER ANAYA: Move for approval, Madam Chair.

COMMISSIONER HOLIAN: With staff conditions.

COMMISSIONER ANAYA: With staff conditions.

COMMISSIONER HOLIAN: Second.

CHAIR VIGIL: Motion and a second.

The motion passed by unanimous [5-0] voice vote.

XIV. ADJOURNMENT

Having completed the agenda and with no further business to come before this body, Chairwoman Vigil declared this meeting adjourned at 5:25 p.m.

Approved by:

Board of County Commissioners
Virginia Vigil, Chairwoman

ATTEST TO:

VALERIE ESPINOZA
SANTA FE COUNTY CLERK

Respectfully submitted:

Karen Farrell, Wordswork
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